

**Pakistan Information Commission**  
**Government of Pakistan**

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**In the Pakistan Information Commission, Islamabad**  
**Appeal No 1680-01/22**

**Sadia Mazhar**

**(Appellant)**

**Vs.**

**Federal Investigation Agency**

**(Respondent)**

**ORDER**

**Date:** August 03, 2022

**Zahid Abdullah:** Information Commissioner

**A. The Appeal**

1. The Appellant filed an appeal, dated January 17, 2022 to the Commission, stating that she submitted an information request to the Federal Investigation Agency on December 19, 2021 under the Right of Access to Information Act 2017 but did not receive any response from the public body.
2. The information sought by the Appellant is as follows:
  1. *“Total budget allocated for the Cyber Crime Wing since its establishment to date (Financial Year and head wise breakup)”*
  2. *Total sanction post of the Cyber Crime Wing, along with the details of the Vacant Posts. (Region Office wise breakup)*
  3. *List of the Cyber Crime Wings Offices*
  4. *Copies of the FIRs registered by Cyber Crime Wing so far, along with the details of current status of each FIR.*
  5. *Provide details about the salary, perks and privileges of the officials and officers serving in Cybercrime FIR Crime Wing of FIA (Pay scale wise breakup).”*

**B. Proceedings**

3. The record on the file suggests that the Respondent submitted its response on the intervention of this commission on March 16, 2022 and its text is as under:

Sr. No	Required Record	Reply /Attachment
i.	Total budget allocated for the Cyber Crime Wing since its establishment to date (Financial Year and head wise breakup)	Details have been furnished by the Deputy Director Accounts, Cybercrime Wing - FIA vide letter No.FIA/CCW/DD-Accounts-2020-21/213-14 dated 23-02-2021 and the same are attached Annex-I
ii.	Total sanction post of the Cyber Crime Wing, along with the details of the Vacant Posts. (Region Office wise breakup)	Annex-II

iii.	List of the Cyber Crime Wings Offices	Annex-IIi
iv.	Copies of the FIRs registered by Cyber Crime Wing so far, along with the details of current status of each FIR.	Vide letter No.FIA/CCW-HQ/DIR/ISB/2021/9676-80 dated 26-10-2021 (Annex-IV), it has already been submitted by the Additional Director (Ops) CCW-FIA to your good office that as per description of Section 16 (b) (c) (f) (g) of RTI ACT 2017 any information that invade or reveals the privacy of any individual cannot be shared. However, detail of Case/FIRS registered after enactment of PECA 2016 to till February 2022 is attached at Annex - V
v.	Provide details about the salary, perks and privileges of the officials and officers serving in Cybercrime FIR Crime Wing of FIA (Pay scale wise breakup)	Details have been furnished by the Deputy Director Accounts, Cybercrime Wing - FIA vide letter No.FIA/CCW/Accts/2021-22 dated 09-03-2021 and the same are attached at Annex - VI

- 5 Hearing on the instant Appeal was fixed for June 16, 2022 vide letter dated June 07 2022. The Respondent did not attend the hearing.

### **C. Issues**

- 6 The instant appeal has brought to the fore the following issues:
- Has the Respondent followed the procedure enunciated in the Act, 2017 for responding to the information request? and
  - Does the Act, 2017 provide blanket exemption to First Information Report, (FIR)?

### **D Discussion and commission's views on relevant issues:**

- In the instant appeal, the Respondent failed to provide written acknowledgement of the request for information filed by the citizen as required under Section 10 (1) of the Act.
- This commission holds that the Act, 2017 does not only treat an FIR as a public document but requires a public body to proactively publish these FIRs through its Section 5 (1) (i) of the Act, 2017.
- This commission maintains that the Act, 2017 does not provide blanket exemption to an FIR.
- This commission holds that merely because certain portions in an FIR may contain private information about an identifiable individual, it does not mean that an FIR can be exempted from disclosure in its entirety.
- The Act, 2017 envisages a situation wherein a document, which should be otherwise be made public but its parts may contain exempted information. In such an eventuality, part(s) containing information to be exempted can be severed, or, blanked out from the document as

mentioned in Section 16 (1) (i) of the Act, 2017. However, in such a scenario, the public body is required to cite specific reason(s) for invoking the particular exemption clause of the Act, 2017.

#### **E. Order**

12. The Appeal is allowed. The Respondent is directed to provide the Appellant certified copies of the FIRs registered by Cyber Crime Wing so far, along with the details of current status of each FIR, as well as proactively publish all these FIRs on its web site in light of observations of this commission in this Order. The Respondent is directed to make available these FIRs within 20 working days of the receipt of this Order, with intimation to this commission.

13. Copies of this order be sent to the Respondent and the Appellant for information and necessary action.

**Mohammad Azam**

Chief Information Commissioner

**Fawad Malik**

Information Commissioner

**Zahid Abdullah**

Information Commissioner

Announced on:

August 03, 2022

This order consists of 3 (three) pages, each page has been read and signed.